

1
2
3
4
5
6
7
8 JM GODFREY,
9 Petitioner,
10 v.
11
12 WARDEN PVSP,
13 Respondent.
14
15

16 Case No. 20-01381 BLF (PR)
17
18
19
20
21
22
23
24
25
26
27
28

**ORDER GRANTING EXTENSION
OF TIME TO PROVIDE PROOF OF
PAYMENT, PAY THE FILING FEE,
OR FILE COMPLETE *IN FORMA
PAUPERIS* APPLICATION**

On January 31, 2020, Petitioner, a California state prisoner, filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254 in the Eastern District of California. Dkt. Nos. 1, 2. The matter was transferred to this Court because Petitioner was challenging a conviction out of San Mateo County, making this Court the more convenient forum. Dkt. No. 2.

On February 4, 2020, the Clerk sent Petitioner a notice informing him that the action was deficient because he did not pay the filing fee or file an *In Forma Pauperis* (“IFP”) application. Dkt. No. 4. Petitioner was directed to respond within twenty-eight days or else the case would be dismissed. *Id.* Petitioner was also sent a notice that the matter was assigned to a magistrate judge and that he must file consent or declination to magistrate judge jurisdiction. Dkt. No. 6. After Petitioner filed a declination to magistrate

1 judge jurisdiction, the matter was reassigned to this Court. Dkt. Nos. 7, 10.

2 On March 9, 2020, Ms. Mareva Godfrey filed a document indicating that “\$5 was
3 paid to the Eastern Division. They sent it back saying it (the case) was transferred.” Dkt.
4 No. 8. Included with the statement was a check stub. *Id.* However, there is no proof of
5 payment, e.g., a receipt or indication that the check cleared. Petitioner states in a letter
6 filed on April 27, 2020, that he believes payment was made by credit card by Mareva
7 Godfrey, Dkt. Nos. 13, 14, but the court’s financial office has been unable to verify that
8 any such payment was received in this matter.

9 In the interest of justice, Petitioner shall be granted an extension of time to do one
10 of the following: (1) provide proof of payment, (2) pay the filing fee, or (3) file a complete
11 IFP application showing indigency. Petitioner shall do so **no later than twenty-eight (28)**
12 days from the filing date of this order.

13 **Failure to respond to this order in the time provided will result in the dismissal
14 without prejudice of this action without further notice to Petitioner.**

15 **IT IS SO ORDERED.**

16 Dated: May 20, 2020



17
18
19
20
21
22
23
24
25
26
27
28

BETH LABSON FREEMAN
United States District Judge